

**until it's over**  
**AIDS ACTION**

The Honorable Senator Patrick Leahy  
United States Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

May 21, 2001

Senator Leahy,

On behalf of AIDS Action, the national voice on AIDS representing all Americans living with HIV/AIDS and 3,200 community-based organizations that serve them, I am writing to express our opposition to the nomination of Jeffrey Sutton to the United States Court of Appeals Sixth Circuit.

The civil rights of people with disabilities – including people with HIV/AIDS, as was evidenced in *Bragdon v. Abbott* – are contingent upon the courts' rigorous enforcement of the Americans with Disabilities Act (ADA).

In passing the ADA, Congress extensively documented instances in which States discriminated against the disabled, yet in his arguments before the United States Supreme Court in the *Garrett* case, Mr. Sutton forcefully argued that those protections against State discrimination afforded by the ADA were unconstitutional.

AIDS Action is committed to ensuring the civil rights of people with HIV/AIDS and other disabilities. The appointment of Jeffrey Sutton to the Court of Appeals would dangerously undermine the protections offered to people with disabilities under the ADA.

We would respectfully ask that you oppose the confirmation of Jeffrey Sutton.

Sincerely,



Claudia Dawn French  
Executive Director